

ORIGINAL

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter Of)
Implementation of Sections 3(n))
and 332 of the Communications Act)
Regulatory Treatment of Mobile Services)

GN Docket No. 93-25

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

**Statement of Clarification of
PITTENCRIEFF COMMUNICATIONS, INC.**

Pittencrieff Communications, Inc. ("PCI" or the "Company") by its attorneys, hereby submits a statement of clarification in support of its Comments and Reply Comments in the above-referenced proceeding.¹

PCI's Reply Comments stated that it supported the general content and structure of Nextel's proposal for the 800 MHz services that are now regulated under Part 90 of the Commission's Rules. While PCI continues to support the type of rule changes envisioned by Nextel's proposal, it believes that the approach, refined by the American Mobile Telecommunications Association ("AMTA") is preferable. PCI is a member of the AMTA Digital Switched Network Council and participated actively in the discussions of that group concerning the Nextel proposal. Accordingly, the Company supports AMTA's formulation of the Nextel plan.

1\ PCI recognizes that the pleading cycle in this proceeding ended on July 11, 1994. However, PCI is one of the few public companies that intends to provide wide-area Specialized Mobile Radio ("SMR") service. It is in the public interest, therefore, that its position be accurately expressed to the Commission. Moreover, the positions stated herein merely clarify what it has already stated. Finally, PCI has served all other parties to this proceeding. Accordingly, based upon the foregoing, the Commission is asked to accept and consider this Statement of Clarification.

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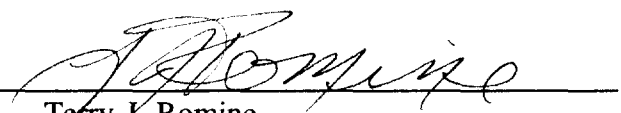
Second, and as noted in PCI's Reply Comments, the Company supports a qualification guideline for access to the enhanced SMR ("ESMR") block **for applications submitted between July 11 and August 10, 1994**. The purpose of this qualification guideline during the noted period is to prevent entities from taking advantage of a perceived "land rush" opportunities. Those with plans in progress to apply for wide-area authority, like PCI, will be able to expedite the application submission process to meet the August 10 deadline. However, those speculators who simply wish to take advantage of the opportunity to qualify as an ESMR operator will not.

However, the Company wishes to clarify that the proposed 42 channel minimum should only be a determinant for entry to the ESMR block for applications submitted between July 11 and August 10. Prior to July 11, wide-area SMR applicants could not have been responding to an opportunity to participate in the ESMR block, because such a plan (and the attendant deadline) had not yet been proposed. A pending wide-area request of any size on or before July 11, therefore, should permit an applicant entry to the ESMR block.

WHEREFORE, for the forgoing reasons, Pittencrieff Communications, Inc. respectfully submits the foregoing Statement of Clarification and requests that the Commission take action in accordance with the view expressed herein.

Respectfully submitted,

PITTENCRIEFF COMMUNICATIONS, INC.

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CERTIFICATE OF SERVICE

I, Patricia E. Edwards, a secretary in the law firm of Lukas, McGowan, Nace & Gutierrez, Chartered, hereby certify that I have on this 27th day of July, 1994, sent by First Class United States mail, postage prepaid, copies of the foregoing STATEMENT OF CLARIFICATION OF PILLENCRIEFF COMMUNICATIONS, INC. to the following:

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